United Nations CRPD/C/MUS/Q/1

Convention on the Rights of Persons with Disabilities

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Committee on the Rights of Persons with Disabilities

List of issues in relation to the initial report of Mauritius*

A. Purpose and general obligations (arts. 1–4)

1. Please indicate whether any steps have been taken to ratify the Optional Protocol to the Convention and to withdraw the reservations made to articles 9 (2) (d), 11 and 24 (2) (b) of the Convention.

2. Please provide updated information on the 2007 National Policy Paper and Action Plan on Disability.

Definitions (art. 2)

3. Please indicate the steps taken to modify the concept of disability based on the medical model used in the State party's legislation, notably the Equal Opportunities Act and the Training and Employment of Disabled Persons Act, and the concrete measures adopted to shift from the medical model to a human rights-based model that includes the concept of reasonable accommodation, in accordance with the Convention.

General obligations (art. 4)

4. Please indicate the measures taken to bring all national legislation into line with the Convention. Please also provide updated information on the process of drafting the disability bill referred to in the State party report (see CPRD/C/MUS/1, para. 22 (b)) and indicate how organizations of persons with disabilities are involved in this process.

5. Please provide updated information on any new policies, programmes and/or action plans to promote and protect the rights of persons with disabilities and to monitor them in line with the Convention, and on any steps taken to ensure the meaningful participation by organizations of persons with disabilities in these decision-making processes.

* Adopted by the pre-sessional working group at its third session (20–24 April 2015).

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B. Specific rights

Equality and non-discrimination (art. 5)

6. Please provide updated information on any steps taken to specifically include disability as a ground for discrimination in the legislation of the State party and to consider the denial of reasonable accommodation as discrimination. Have discriminatory references, such as "persons of unsound mind" and "state of imbecility", been removed from the State party's legislation? Please specify the legal avenues available to persons with disabilities to dispute discriminatory laws and practices, and indicate the percentage of such claims for which remedies have been granted.

Women with disabilities (art. 6)

7. Please update the Committee on any programmes, policies and legislation designed to protect women and girls with disabilities from intersectional discrimination and violence and to support them in education, employment and other areas of life, particularly programmes, policies and legislation designed to facilitate access to sexual and reproductive health services and maternal and child health centres in rural and remote areas.

Children with disabilities (art. 7)

8. Please indicate how the rights of children with disabilities are included in the national children's policy and the national child protection strategy. Please specify what measures are in place to ensure the full protection of children with disabilities from all forms of corporal punishment in all settings, and how the measures are implemented in practice.

Awareness-raising (art. 8)

9. Please provide an update on the awareness-raising activities that have been conducted in an effort to eliminate stigmatization and prejudice against persons with disabilities and indicate whether their impact has been evaluated with a view to designing more effective awareness-raising programmes in the future.

Accessibility (art. 9)

10. Please provide updated information on the revision of the Building Act, the Roads Act, the Morcellement Act and the Town and Country Planning Act. Please provide details of measures taken to improve the access for all persons with disabilities to information and communications technologies and systems.

Situations of risk and humanitarian emergencies (art. 11)

11. Please provide updated information on the Mauritius disaster management bill and indicate what measures are in place to consult with persons with disabilities in order to ensure that their protection and accessibility needs are included in the design and implementation of emergency plans and procedures.

Equal recognition before the law (art. 12)

12. Please clarify the circumstances under which institutionalized persons might be deprived of their rights to enter into a contract, vote, marry, take decisions about their health and have access to court. Please provide information on the measures that have been taken or are planned to replace substituted decision-making by supported decision-making in the exercise of legal capacity.

Access to justice (art. 13)

13. Please indicate what measures are in place to ensure effective access to justice for persons with disabilities on an equal basis with others, such as the provision of legal aid, sign language interpretation and reasonable accommodation.

Liberty and security of the person (art. 14)

14. Please clarify whether the State party intends to prohibit the involuntary hospitalization and institutionalization of persons with disabilities, including children, on the basis of their impairment. Please specify the number of persons deprived of their liberty on the ground that they constitute a danger for themselves and/or society.

Freedom from torture or cruel, inhuman or degrading treatment or punishment, and protecting the integrity of the person (arts. 15 and 17)

15. Please indicate what measures have been adopted to prohibit the forced treatment of persons with disabilities in hospitals and institutions and what monitoring mechanisms are in place to prevent such abuses. Please indicate how women and girls with disabilities are effectively protected from forced sterilization.

Freedom from exploitation, violence and abuse (art. 16)

16. Please provide data on cases of all forms of violence against and abuse of adults and children with disabilities, including the investigations and legal proceedings conducted and the sanctions imposed. Please provide details of the specific measures taken to prevent violence against and exploitation of adults and children with disabilities and to facilitate victims' access to helplines and reporting mechanisms.

Living independently and being included in the community (art. 19)

17. Please provide information on the number of persons with disabilities in institutional care, disaggregated by gender, age and disability type, and the number of persons with disabilities who receive services enabling them to live independently, including personal assistance. Please also provide information on the funding allocated to residential services as opposed to community-based services.

Respect for home and the family (art. 23)

18. Please provide information on the measures taken to ensure that parents with disabilities receive the support they need to meet their parental responsibilities, and the measures in place to prevent concealment, abandonment, neglect and gender-based segregation of children with disabilities.

Education (art. 24)

19. Please indicate whether the State party intends to repeal section 17 (3) of the Equal Opportunities Act to ensure that children with disabilities have the right to inclusive education. Please provide data on the number of children with disabilities, disaggregated by sex, who are deprived of education, and information on any measures taken to remedy that situation. Please specify the proportion of children and adolescents with disabilities, disaggregated by type of impairment, who attend mainstream classes and vocational training, and specify all the types of reasonable accommodation provided to them in mainstream classes.

20. Please indicate the measures taken to move ahead with the 2006 special education needs and inclusive education policy and to design and implement a fully inclusive

education policy with the full participation of civil society. Please also indicate the measures taken to provide targeted training and resources for teachers and to equip classrooms to accommodate children with various disabilities.

Health, habilitation and rehabilitation (arts. 25 and 26)

21. Please provide updated information on the implementation of the early identification and assessment programme. Please explain how access to habilitation and rehabilitation services for all persons with disabilities and voluntary participation therein are ensured. Please also provide information on any measures taken to raise awareness among service providers of the human rights, dignity and autonomy of persons with disabilities.

Work and employment (art. 27)

22. Please provide data on the unemployment rate of persons with disabilities and that of persons without disabilities. Please provide information on cases in which employers have been exempted from their obligation to employ persons with disabilities by the Training and Employment of Disabled Persons Board.

Adequate standard of living and social protection (art. 28)

23. Please provide information on the eligibility criteria for the special allowance for children with disabilities and the adequacy of the amount.

Participation in political and public life (art. 29)

24. Please provide information on measures taken to ensure that all persons with disabilities can enjoy the right to vote, taking into account their accessibility needs, and on steps taken to ensure the effective representation of persons with disabilities in political and public decision-making positions.

Participation in cultural life, recreation, leisure and sport (art. 30)

25. Please provide information on plans to increase the accessibility of libraries, audiovisual materials and broadcast services to all persons with disabilities.

C. Special obligations

Statistics and data collection (art. 31)

26. Please provide updated information on persons with disabilities collected through the 2011 population census and the database on disability, which was launched in 2012.

National implementation and monitoring (art. 33)

27. Please provide information on the national mechanism responsible for monitoring the implementation of the Convention in conformity with the principles relating to the status of national institutions for the promotion and protection of human rights (Paris Principles). Please indicate what measures have been taken to ensure the participation of persons with disabilities and their representative organizations in the mechanism.